

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

SABA K. MAKKALI

PETITIONER

v.

No. 5:95-cv-550-DPM

**DEXTER PAYNE, Director,
Arkansas Division of Correction**

RESPONDENT

ORDER

Makkali's motion, *Doc. 37*, for leave to amend his Rule 60(b) motion is granted. Makkali's Rule 60(b) motion is a successive *habeas* petition because he has filed multiple 28 U.S.C. § 2254 petitions challenging his 1992 convictions. *See Makkali v. Hobbs*, No. 5:13-cv-00201 BSM, 2013 WL 6231113 (E.D. Ark. Dec. 2, 2013). Makkali must seek and get permission from the United States Court of Appeals for the Eighth Circuit before this Court can proceed. 28 U.S.C. § 2244(b)(3)(A).

His Rule 60(b) motion, *Doc. 31*, as amended, will be dismissed without prejudice for lack of jurisdiction. No certificate of appealability will issue. 28 U.S.C. § 2253(c)(1)-(2). All other pending motions, *Doc. 29, 34, 36 & 38*, are denied as moot.

The Court directs the Clerk to change the style of the case to reflect Makkali's new name and to indicate that Dexter Payne, the current Director of the Arkansas Division of Correction, is the respondent.

So Ordered.

D.P. Marshall Jr.

D.P. Marshall Jr.
United States District Judge

11 May 2022